

# **Washington State Wetland Mitigation Evaluation Study**

## **Phase 1: Compliance**

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### **Executive Summary**

The Washington State Wetland Mitigation Evaluation Study assessed the effectiveness of compensatory wetland mitigation statewide. This study was initiated in response to a 1998 King County study (Mockler et al. 1998), which found that over three-quarters of the wetland mitigation sites evaluated in King County were unsuccessful according to their performance standards. The Wetland Mitigation Evaluation Study is a two-phase study to investigate the level of permit compliance and ecological functioning of a representative random sample of compensatory wetland mitigation projects in Washington.

The Phase 1 report describes the results from the first phase of the Wetland Mitigation Evaluation Study, which focused on the degree of compliance with permit requirements for compensatory wetland mitigation projects. Forty-five compensatory wetland mitigation sites were randomly selected from the US Army Corps of Engineer's Section 404 database and the Department of Ecology's Section 401 database. Background information was collected from the Corps' files, Ecology's files, and from project applicants or their consultants. Site conditions were evaluated against what was specified in Section 404 permits, Water Quality Certifications, Wetland Mitigation Plans, and/or Monitoring Reports.

Permit compliance for each of the 45 compensatory wetland mitigation projects was evaluated in three parts:

- Was the compensatory mitigation project implemented?
- Was it implemented to plan?
- Was it meeting its performance standards (those assessable by the methods of this study)?

Overall, 13 projects (29%) were in full compliance with all three questions. Forty-two projects (93%) were implemented, and of those, 23 projects (55%) were implemented to plan. Thirty-four projects had performance standards that could be evaluated, and of those, 12 projects (35%) were meeting all performance standards assessable by this study.

A number of problems were encountered while conducting this study. Primarily, Ecology's 401 database contained numerous incomplete or inaccurate entries and project files were often either missing or lacking critical information. In addition, the methods and timing of site visits (fall of 1999) for Phase 1 did not allow assessment of all performance standards.

Recommendations for improving permit compliance are directed at applicants and permitting agencies. If followed, the recommendations should promote greater compliance. The recommendations for permitting agencies, specifically Ecology, are:

- Make permit follow-up and enforcement a higher priority.
- Consistently require project applicants to submit as-built and monitoring reports.
- Develop an effective permit/compensatory mitigation tracking system.
- Create and maintain a comprehensive project filing system.

## **Citation**

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